

August 29, 2003

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

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Seattle, Washington 98164  
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**REPORT AND DECISION**

SUBJECT: Department of Development and Environmental Services File No. **E0000875**

**WILLIAM WOFFORD**  
Code Enforcement Appeal

Location: 13323 146th Avenue Southeast

Appellant: **William Wofford**  
13323 146th Avenue Southeast  
Renton, WA 98059  
Telephone: (425) 255-4550

King County: Department of Development and Environmental Services  
*represented by* **Jeri Breazeal**  
900 Oakesdale Avenue Southwest  
Renton, Washington 98055-1219  
Telephone: (206) 296-7264  
Facsimile: (206) 296-6644

**SUMMARY OF DECISION/RECOMMENDATION:**

Department's Preliminary Recommendation:	Deny appeal
Department's Final Recommendation:	Deny appeal
Examiner's Decision:	Appeal denied

**EXAMINER PROCEEDINGS:**

Hearing Opened:	August 28, 2003
Hearing Closed:	August 28, 2003

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes.  
A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

**FINDINGS, CONCLUSIONS & DECISION:** Having reviewed the record in this matter, the Examiner now makes and enters the following:

**FINDINGS:**

1. On June 27, 2003, the King County Department of Development and Environmental Services, Code Enforcement Section, issued a notice and order to William Wofford at 13323 146th Avenue Southeast. The property was cited for failure to remove a temporary mobile home from the site after construction of a permanent residence, use of the mobile home as a separate dwelling unit and illegal storage of inoperable vehicles on the property. Mr. Wofford filed a timely appeal of the notice and order, seeking more time to apply for a temporary medical hardship mobile home permit. It appears that Mr. Wofford is disabled and the mobile home is occupied by an individual who provides care to Mr. Wofford.
2. Neither Mr. Wofford nor his wife appeared at the public hearing scheduled for this appeal on August 28, 2003. Code enforcement officer Jeri Breazeal reported that the issue of illegal storage on the property of inoperable vehicles has been resolved but that Mr. Wofford had not yet applied for the temporary medical hardship mobile home permit. She recommended that the appeal be denied but that an additional 30 days be provided to the Woffords to either apply for the temporary hardship permit or remove the mobile home from the property.

**CONCLUSIONS:**

1. The evidence of record indicates that Mr. Wofford is still in violation of the notice and order with respect to his failure to remove the temporary mobile home from the site. Therefore, the notice and order must be upheld.

**DECISION:**

The appeal is DENIED.

**ORDER:**

1. No penalties or fines shall be assessed against the Appellant's property if within 30 days of the date of this order an application for a temporary hardship mobile home permit has been filed with DDES or the mobile home has been removed from the property.
2. Fines and penalties may be assessed by DDES retroactive to the date of this order if the deadline set in condition no. 1 is not met.

ORDERED this 29th day of August, 2003.

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Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED via certified mail on this 29th day of August, 2003, to the following:

William Wofford  
13323 146th Ave. SE  
Renton, WA 98059

TRANSMITTED this 29th day of August, 2003, to the parties and interested persons of record:

William Wofford  
13323 146th Ave. SE  
Renton WA 98059

Jeri Breazeal  
DDES/LUSD  
Code Enf. Section  
MS OAK-DE-0100

Elizabeth Deraitus  
DDES/LUSD  
Code Enf. Supvr.  
MS OAK-DE-0100

Patricia Malone  
DDES/LUSD  
Code Enf. Section  
MS OAK-DE-0100

Heather Staines  
DDES/BSO  
Code Enf.-Finance  
MS OAK-DE-0100

### **NOTICE OF RIGHT TO APPEAL**

The action of the hearing examiner on this matter shall be final and conclusive unless a proceeding for review pursuant to the Land Use Petition Act is commenced by filing a land use petition in the Superior Court for King County and serving all necessary parties within twenty-one (21) days of the issuance of this decision. The Land Use Petition Act defines the date on which a land use decision is issued by the Hearing Examiner as three days after a written decision is mailed.

### **MINUTES OF THE AUGUST 28, 2003 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E0000875.**

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jeri Breazeal, representing the Department.

The following exhibits were offered and entered into the record:

Exhibit No. 1	DDES report to the Hearing Examiner for the 8/28/03 hearing
Exhibit No. 2	Copy of Notice & Order, issued June 27, 2003
Exhibit No. 3	Copy of Appeal, received July 15, 2003
Exhibit No. 4	Copies of the codes cited in the Notice and Order
Exhibit No. 5	Photographs (3, color) of subject property
Exhibit No. 6	Letter to William Wofford dated February 2, 2001 from Sheryl Lux
Exhibit No. 7	Copies of the comment screens from the permit and Code Enforcement case

SLS:ms  
E0000875 RPT